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PATENT
Attorney Docket No.: 020979-002310US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On 7/21/04

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]
Tiffany Wu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HANSON S. GIFFORD, III et al.

Application No.: 10/695,649

Filed: October 27, 2003

For: VENTRICULAR INFARCT
ASSIST DEVICE AND METHODS FOR
USING IT

Examiner:

Art Unit:

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/964,070, filed September 25, 2001 (Attorney Docket No. 020979-002300US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

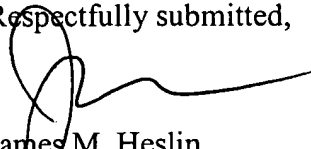
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

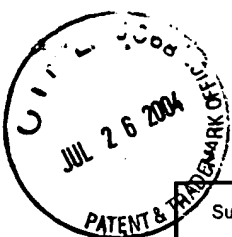
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin
Reg. No. 29,541

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60265317 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **2****Complete if Known**

Application Number	10/695,649
Filing Date	October 27, 2003
First Named Inventor	GIFFORD, HANSON S.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	020979-002310US

U.S. PATENT DOCUMENTS+

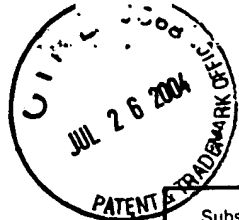
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	1	3,174,851		03-23-1965	Buehler et al.	
	2	3,351,463		11-07-1967	Rozner et al.	
	3	3,753,700		08-21-1973	Harrison et al.	
	4	5,643,172		07-01-1997	Kung et al.	
	5	5,702,343		12-30-1997	Alferness	
	6	5,800,528		09-01-1998	Lederman et al.	
	7	5,961,440		10-05-1999	Schweich, Jr. et al.	
	8	6,045,497		04-04-2000	Schweich, Jr. et al.	
	9	6,050,936		04-18-2000	Schweich, Jr. et al.	
	10	6,059,715		05-09-2000	Schweich, Jr. et al.	
	11	6,077,214		06-20-2000	Mortier et al.	
	12	6,077,218		06-20-2000	Alferness	
	13	6,085,754		07-11-2000	Alferness et al.	
	14	6,123,662		09-26-2000	Alferness et al.	
	15	6,126,590		10-03-2000	Alferness	
	16	6,155,972		12-05-2000	Nauertz et al.	
	17	6,162,168		12-19-2000	Schweich, Jr. et al.	
	18	6,165,119		12-26-2000	Schweich, Jr. et al.	
	19	6,165,120		12-26-2000	Schweich, Jr. et al.	
	20	6,165,121		12-26-2000	Alferness	
	21	6,165,122		12-26-2000	Alferness	
	22	6,169,922		01-02-2001	Alferness et al.	
	23	6,174,279		01-16-2001	Girard	
	24	6,183,411		02-06-2001	Mortier et al.	
	25	6,193,648		02-27-2001	Krueger	
	26	6,224,540		05-01-2001	Lederman et al.	
	27	6,230,714		05-15-2001	Alferness et al.	
	28	6,241,654		06-05-2001	Alferness	
	29	6,260,552		07-17-2001	Mortier et al.	
	30	6,261,222		07-17-2001	Schweich, Jr. et al.	
	31	6,264,602		07-24-2001	Mortier et al.	
	32	6,406,420		06-18-2002	McCarthy et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/695,649		
		Filing Date	October 27, 2003		
		First Named Inventor	GIFFORD, HANSON S.		
		Art Unit	Unassigned		
		Examiner Name	Unassigned		
Sheet	2	of	2	Attorney Docket Number	020979-002310US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	33	Jancin, B. (Mar. 15, 2001) "Ventricular Surgery Plus CABG Eyed for Cardiomyopathy", Internal Medicine News vol. 34(6) pp. 1-2.	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/21 (04-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/695,649
Filing Date	October 27, 2003
First Named Inventor	GIFFORD, HANSON S.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	020979-002310US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

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<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
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<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 29,541
Signature		
Date	July 21, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Tiffany Wu		
Signature		Date	July 21, 2004